

page 2, the words "mercantile establishments."

THORNTON,  
DUNAGAN,  
COLQUITT.

Amend House Bill No. 18 by adding the words "agent, receiver, trustee," after the word "firm" in line 2, page 2; after the word "firm" in line seven (7) page 2; after the word "firm" in line 17, page 3; after the word "firm" in line 26, page 3; after the word "firm" in line 33, page 4; and after the word "firm" in line 2, page 5.

THORNTON,  
DUNAGAN,  
COLQUITT.

The amendments were severally adopted.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 18 by striking out all the line beginning with the word "used" in line 40, on page 3, and all of line 1, page 4, and inserting in lieu thereof the following: "of any person, firm, or corporation now paying an occupation tax measured by gross receipts."

THORNTON,  
DUNAGAN,  
COLQUITT.

Question: Shall the committee amendment be adopted?

#### ADJOURNMENT

Mr. Quinn moved that the House recess to 2:00 o'clock p. m., today.

Mr. Pope moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Pope, it prevailed, and the House accordingly, at 12:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Education: Senate Bill No. 9.

Municipal and Private Corporations: House Bill No. 48; Senate Bill Nos. 6, 7 and 15.

Privileges, Suffrage and Elections: House Bill No. 24.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, September 24, 1935  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 26, A bill to be entitled "An Act amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature, by providing that warrants issued under subdivision (b) thereof shall be negotiable and that the same may be sold for not less than par value to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal agency, and further providing that all warrants heretofore issued under subdivision (b), shall be negotiable instruments; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

#### NINTH DAY

(Thursday, September 26, 1935)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Colquitt
Adamson	Cooper
Adkins	Cowley
Aikin	Craddock
Alexander	Crossley
Alsup	Daniel
Atchison	Davis
Beck	Davison of Fisher
Bergman	Davisson
Bourne	of Eastland
Bradbury	Dickison
Bradford	Dunagan
Broyles	Dunlap of Hays
Burton	Dunlap of Kleberg
Butler of Brazos	Duvall
Butler of Karnes	Dwyer
Cagle	England
Caldwell	Fain
Calvert	Farmer
Canon	Fisher
Celaya	Ford
Clayton	Fox
Collins	Frazer

Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Morse
Graves	Newton
Gray	Nicholson
Greathouse	Olsen
Hankamer	Padgett
Hanna	Palmer
Hardin	Patterson
Harris of Archer	Payne
Harris of Dallas	Petsch
Hartzog	Pope
Head	Quinn
Herzik	Reader
Hill	Reed of Bowie
Hodges	Reed of Dallas
Hofheinz	Riddle
Holland	Roach of Angelina
Hoskins	Roach of Hunt
Howard	Roane
Huddleston	Roark
Hunt	Roberts
Hunter	Rogers
Hyder	Russell
Jackson	Rutta
James	Scarborough
Jefferson	Sessions
Jones of Atascosa	Settle
Jones of Falls	Shofner
Jones of Shelby	Smith
Jones of Wise	Spears
Keefe	Stanfield
King	Steward
Knetsch	Stinson
Lange	Stovall
Lanning	Tarwater
Latham	Tennyson
Leath	Thornton
Lemens	Tillery
Leonard	Venable
Lindsey	Waggoner
Lucas	Walker
Luker	Wells
Mauritz	Westfall
McCalla	Wood of Harrison
McConnell	Wood of Montague
McFarland	Worley
McKee	Young
McKinney	Youngblood
Moffett	

Absent

Colson

Absent—Excused

Ash

Lotief

Fitzwater

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Almighty God, we are assured in Thy word that the people are blessed

whose God is Jehovah. Be Thou with us to enlighten, to guide, and to bring worthy results from our efforts today. In Christ's name. Amen."

#### LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence on account of important business:

Mr. Ash for today, on motion of Mr. Harris of Dallas.

The following member was granted leave of absence on account of illness.

Mr. Lotief for today on account of illness in his family, on motion of Mr. Bradbury.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McKinney:

H. B. No. 83, A bill to be entitled "An Act fixing the compensation of District Attorneys in Judicial Districts composed of two or more counties; providing that this Act shall not deprive such District Attorneys of their expense allowance; providing for the disposition of fees; commissions and perquisites earned and collected by such District Attorneys; etc., and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Jones of Atascosa, Mr. Knetsch, Mr. Alexander, Mr. Alsup and Mr. Steward:

H. B. No. 84, A bill to be entitled "An Act to ease the burdens of taxation on property; levying a selective gross proceeds tax on commodities and services other than the necessities of life; defining and excluding and exempting such necessities of life; providing for the collection of such tax; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Jones of Atascosa, Mr. Petsch, Mr. Alexander, Mr. Knetsch, Mr. Steward, Mr. Bergman, Mr. Alsup, Mr. King and Mr. McKinney:

H. B. No. 85, A bill to be entitled "An Act to provide funds for payment

of old age insurance and financing of public free schools; levying a selective gross proceeds tax on commodities and services other than the necessities of life; defining, excluding and exempting such necessities of life; providing for the collection of such tax; apportioning the same; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Caldwell:

H. B. No. 86, A bill to be entitled "An Act amending Article 7060, Revised Civil Statutes of Texas, 1925, as amended Acts 1930, Forty-first Legislature, Fifth Called Session, page 168, Chapter 34, Section 1; requiring individuals, companies, corporations, and associations owning or controlling gas, electric light, electric power, or water works or water and light plants, to file quarterly reports with the Comptroller showing the amount of their gross receipts; levying an occupation tax upon the gross receipts of such individuals, companies, corporations, and associations; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Cagle:

H. B. No. 87, A bill to be entitled "An Act to amend Article 2968, Revised Civil Statutes of Texas, 1925, as amended by Chapter 292, of the Regular Session of the Forty-fourth Legislature, by amending Article 2968-a, providing for the issuance of certificates of exemption without cost to certain qualified voters not subject to the payment of a poll tax; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Alsup, Mr. Jones of Atascosa, Mr. Pope, Mr. Leonard, Mr. Jones of Shelby, Mr. Hunt, Mr. Roach of Hunt and Mr. Russell:

H. B. No. 88, A bill to be entitled "An Act to amend Section 2, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, in 1933, as amended by Section 2, House Bill No. 749, Chapter 240, General Laws of the Regular Session of the Forty-fourth Legislature, in 1935, so as to provide and impose an occupation or excise tax of five (5) cents on each

gallon of motor fuel, or fractional part thereof, such tax to accrue and be paid upon the first sale in Texas, as herein provided; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Alsup, Mr. Jones of Atascosa, Mr. Pope, Mr. Leonard, Mr. Jones of Shelby, Mr. Hunt, Mr. Roach of Hunt and Mr. Russell:

H. B. No. 89, A bill to be entitled "An Act to take over, acquire, and/or purchase and retain the interest and equities of counties and defined road districts in and to all roads and highways therein, including streets and avenues in cities and towns where such streets and avenues form integral parts of designated State highways; providing a method for compensating, repaying and reimbursing counties and road districts, and cities and towns, for their aid and assistance to the State, in the construction of public roads and highways; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

#### MESSAGE FROM THE SENATE

Austin, Texas, September 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 18, A bill to be entitled "An Act authorizing commissioners' courts in counties having a population of not less than 125,000 inhabitants and not more than 175,000 inhabitants, and containing a city of not less than 90,000 inhabitants, according to the last preceding Federal census, to levy a direct tax of not more than five cents on the one hundred dollars assessed valuation, for the purpose of advertising and promoting the growth and development of such counties and their county seats, and providing for an election authorizing such tax; and creating and providing for the appointment of a board of county development devoted to the growth, advertisement and development of such

counties and their county seats; and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

RELATIVE TO HOUSE BILL  
NO. 42

Mr. Colquitt moved that House Bill No. 42, having been reported favorably by the Committee on State Affairs, be re-referred to the Committee on Revenue and Taxation.

Question recurring on the motion by Mr. Colquitt, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52

Adamson	Latham
Alexander	Luker
Bradford	Mauritz
Burton	McFarland
Butler of Karnes	McKee
Caldwell	McKinney
Clayton	Moffett
Collins	Morrison
Colquitt	Morse
Cooper	Nicholson
Duvall	Patterson
Dwyer	Pope
Fisher	Quinn
Frazer	Reed of Dallas
Gibson	Riddle
Hankamer	Russell
Hanna	Scarborough
Harris of Dallas	Settle
Hill	Stanfield
Holland	Steward
Hoskins	Stinson
Hyder	Thornton
Jackson	Venable
Jones of Atascosa	Walker
Jones of Shelby	Wood of Harrison
King	Worley

Nays—78

Adkins	Cowley
Aikin	Craddock
Alsup	Crossley
Atchison	Daniel
Beck	Davis
Bergman	Davison of Fisher
Bourne	Davison
Bradbury	of Eastland
Broyles	Dickison
Butler of Brazos	England
Cagle	Fain
Calvert	Farmer
Canon	Ford

Fox	Newton
Fuchs	Olsen
Glass	Palmer
Graves	Payne
Gray	Reader
Greathouse	Reed of Bowie
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Head	Roane
Hodges	Roark
Hofheinz	Roberts
Huddleston	Rogers
Hunt	Rutta
Hunter	Sessions
James	Shofner
Jones of Falls	Smith
Jones of Wise	Spears
Keefe	Stovall
Knetsch	Tarwater
Lanning	Tennyson
Lemens	Tillery
Lindsey	Waggoner
Lucas	Wells
McCalla	Westfall
McConnell	Wood of Montague
Moore	Youngblood
Morris	

Absent

Celaya	Howard
Colson	Jefferson
Dunagan	Lange
Dunlap of Hays	Leath
Dunlap of Kleberg	Leonard
Good	Padgett
Hartzog	Petsch
Herzik	Young

Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Spears moved to reconsider the vote by which the above motion was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Colquitt moved that House Bill No. 42 be recommitted to the Committee on State Affairs, with instructions that the provisions of the measure providing for a tax be stricken from the bill.

Question recurring on the motion by Mr. Colquitt to recommit House Bill No. 42, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—59

Adamson	Atchison
Aikin	Bradford
Alexander	Burton

Butler of Karnes	Latham
Caldwell	Mauritz
Celaya	McFarland
Clayton	McKee
Collins	McKinney
Colquitt	Moffett
Cooper	Morrison
Dunlap of Hays	Morse
Duvall	Nicholson
Dwyer	Patterson
Fisher	Pope
Frazer	Quinn
Gibson	Rogers
Gray	Russell
Hankamer	Scarborough
Hanna	Settle
Harris of Dallas	Stanfield
Hartzog	Steward
Herzik	Stinson
Hill	Tarwater
Holland	Tennyson
Hoskins	Thornton
Hyder	Waggoner
Jackson	Walker
Jones of Atascosa	Wood of Harrison
King	Worley
Knetsch	

Nays—70

Adkins	Huddleston
Alsup	Hunt
Beck	Hunter
Bergman	James
Bourne	Jones of Falls
Bradbury	Jones of Shelby
Broyles	Jones of Wise
Butler of Brazos	Keefe
Cagle	Lanning
Calvert	Lemens
Cowley	Lindsey
Craddock	Lucas
Crossley	McCalla
Daniel	McConnell
Davis	Moore
Davison of Fisher	Morris
Davisson	Newton
of Eastland	Olsen
Dickison	Palmer
Dunlap of Kleberg	Reed of Bowie
England	Reed of Dallas
Fain	Roach of Angelina
Farmer	Roach of Hunt
Ford	Roane
Fox	Roark
Fuchs	Roberts
Glass	Rutta
Graves	Sessions
Greathouse	Shofner
Hardin	Spears
Harris of Archer	Stovall
Head	Tillery
Hodges	Venable
Hofheinz	Wells

Westfall	Youngblood
Wood of Montague	

Absent

Canon	Luker
Colson	Padgett
Dunagan	Payne
Good	Petsch
Howard	Reader
Jefferson	Riddle
Lange	Smith
Leath	Young
Leonard	

Absent—Excused

Ash	Lotief
Fitzwater	

## MOTION TO RE-REFER CERTAIN BILLS

Mr. Colquitt moved that all bills, which are now pending in the Committee on Revenue and Taxation, be withdrawn from same and referred to the Committee on State Affairs.

The point of order was raised that the motion by Mr. Colquitt is vague and indefinite and not in conformity with the Rules of the House.

The Speaker sustained the point of order.

## RELATIVE TO HOUSE BILL NO. 77

Mr. Pope moved that House Bill No. 77 be recommitted to the Committee on State Affairs, stating that same had been reported adversely by the committee without the author having been heard.

The Speaker stated that inasmuch as the author had not been heard by the committee, that a motion to recommit the bill was not necessary and that the bill would be recommitted, in accordance with the House Rules, to the Committee on State Affairs.

## SPECIAL ORDER SET

On motion of Mr. Morse, House Bill No. 1, was set as a special order for 10:30 o'clock a. m., next Monday, September 30.

## BILL ORDERED PRINTED

Mr. Farmer moved that House Bill No. 39, reported adversely with a minority favorable report, be printed.

Question recurring on the motion to print House Bill No. 39 on a minority report, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—81

Adamson	Jones of Shelby
Aikin	Jones of Wise
Alsup	Keefe
Bradbury	Lanning
Broyles	Latham
Burton	Lindsey
Butler of Brazos	Lucas
Cagle	McConnell
Canon	McFarland
Collins	Moffett
Cooper	Morris
Cowley	Morrison
Craddock	Newton
Crossley	Palmer
Davisson	Pope
of Eastland	Reader
Dwyer	Reed of Dallas
England	Riddle
Fain	Roach of Angelina
Farmer	Roach of Hunt
Fisher	Roark
Ford	Roberts
Fox	Rogers
Frazer	Russell
Fuchs	Sessions
Gibson	Settle
Glass	Shofner
Greathouse	Smith
Hankamer	Stanfield
Hanna	Stovall
Hardin	Tarwater
Hodges	Tennyson
Hofheinz	Tillery
Holland	Waggoner
Hoskins	Walker
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	Wood of Montague
Jackson	Worley
James	Young
Jones of Falls	Youngblood

Nays—44

Alexander	Head
Beck	Herzik
Bergman	Hill
Bourne	Howard
Bradford	Hyder
Butler of Karnes	Jones of Atascosa
Colquitt	King
Daniel	Knetsch
Davis	Lemens
Davison of Fisher	Mauritz
Dunlap of Hays	McCalla
Graves	McKee
Gray	McKinney
Harris of Archer	Moore
Harris of Dallas	Morse
Hartzog	Olsen

Patterson	Scarborough
Payne	Steward
Quinn	Stinson
Reed of Bowie	Thornton
Roane	Venable
Rutta	Wells

Present—Not Voting

Luker

Absent

Adkins	Duvall
Atchison	Good
Caldwell	Jefferson
Calvert	Lange
Celaya	Leath
Clayton	Leonard
Colson	Nicholson
Dickison	Padgett
Dunagan	Petsch
Dunlap of Kleberg	Spears

Absent—Excused

Ash	Lotief
Fitzwater	

#### RELATIVE TO RESOLUTION PERIOD

On motion of Mr. Head, the House dispensed with the consideration of resolutions, at this time.

#### BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 13, "An Act making an appropriation out of the General Revenue Fund in the sum of Two Hundred Thousand (\$200,000.00) Dollars to be used in the building of a Texas Supreme Court Memorial Building at Austin, and declaring an emergency."

#### HOUSE BILL NO. 18 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 18, A bill to be entitled "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, prescribing the license and filing fees to be paid therefor, and the disposition thereof; providing for certain exceptions and fixing the powers and duties of the Comptroller of Public Accounts in connection therewith; etc., and declaring an emergency."

The bill having been read second time on yesterday, with committee amendment by Mr. Thornton, pending.

Mr. Fain offered the following substitute for the committee amendment by Mr. Thornton:

"Strike out all beginning with the word 'provided' in line 34, page 3, down to and including line 1 on page 4."

Mr. Lindsey raised a point of order on further consideration of the amendment by Mr. Fain, on the ground that the substitute amendment is not a proper substitute and is not germane to the original amendment.

The Speaker sustained the point of order.

Mr. Bradbury moved to table the committee amendment by Mr. Thornton.

Question recurring on the motion to table, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—82

Adamson	Hodges
Adkins	Hofheinz
Aikin	Hoskins
Alsop	Huddleston
Bourne	Hunt
Bradbury	Hunter
Broyles	James
Burton	Jefferson
Butler of Brazos	Jones of Falls
Cagle	Jones of Shelby
Collins	Jones of Wise
Craddock	Keefe
Crossley	King
Daniel	Knetsch
Davis	Lanning
Davison of Fisher	Leath
Davisson	Lemens
of Eastland	Lindsey
Dickison	Lucas
Dunlap of Hays	Mauritz
Fain	McCalla
Farmer	McConnell
Fisher	McFarland
Fox	Newton
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Pope
Graves	Quinn
Gray	Reader
Greathouse	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roark

Sessions  
Shofner  
Spears  
Stovall  
Tennyson  
Tillery  
Venable  
Waggoner

Walker  
Wells  
Westfall  
Wood of Harrison  
Worley  
Young  
Youngblood

## Nays—53

Alexander	Jones of Atascosa
Atchison	Latham
Beck	McKee
Bergman	McKinney
Bradford	Moore
Butler of Karnes	Morris
Calvert	Morse
Canon	Nicholson
Celaya	Olsen
Colquitt	Payne
Cooper	Petsch
Cowley	Reed of Bowie
Dunagan	Riddle
Dwyer	Roane
England	Roberts
Ford	Rogers
Good	Russell
Hankamer	Scarborough
Hanna	Settle
Hartzog	Smith
Head	Stanfield
Herzik	Steward
Hill	Stinson
Holland	Tarwater
Howard	Thornton
Hyder	Wood of Montague
Jackson	

## Absent

Caldwell	Leonard
Clayton	Luker
Colson	Moffett
Dunlap of Kleberg	Morrison
Duvall	Rutta
Lange	

## Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Thornton offered the following committee amendments to the bill:

Amend House Bill No. 18, by adding the word "additional" after the word "each" in line 5, line 8, line 11, line 14, line 17, line 20, and line 23 on page 4.

THORNTON,  
DUNAGAN,  
COLQUITT.

Amend House Bill No. 18 by striking out the period (.) appearing after

the word "retail" on line 4, page 5, and adding the words "or wholesale."

THORNTON,  
DUNAGAN,  
COLQUITT.

Amend House Bill No. 18 by striking out the word "he" appearing in line 18, page 2 and inserting in lieu thereof the words "said applicant."

THORNTON,  
DUNAGAN,  
COLQUITT.

The amendments were severally adopted.

Mr. Dunagan offered the following committee amendment to the bill:

Amend House Bill No. 18, by adding a new paragraph after Section 6 to be known as Section 6-A, as follows:

"The provisions of this Act shall not apply to oil and gas equipment and oil well supply dealers."

Mr. Hofheinz offered the following substitute for the committee amendment:

Amend House Bill No. 18, by inserting on page 3 in line 39, after the words "petroleum products" the following:

"and/or oil well, oil field and/or gas well and gas field supplies and materials."

HOFHEINZ,  
ROBERTS,  
LEATH.

Question—Shall the substitute amendment by Mr. Hofheinz be adopted?

#### RECESS

On motion of Mr. Petsch, the House at 12:10 o'clock p. m., took recess to 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by Mr. Leonard.

#### HOUSE BILL NO. 18 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 18, to levy certain tax on the operation of stores in Texas, on its passage to engrossment.

The bill having heretofore been read second time with committee

amendment by Mr. Dunagan and substitute amendment, by Mr. Hofheinz, for the committee amendment by Mr. Dunagan pending.

On motion of Mr. Lindsey, the substitute amendment by Mr. Hofheinz was tabled.

Mr. Spears moved to table the committee amendment by Mr. Dunagan.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—72

Adamson	Huddleston
Adkins	Hunter
Aikin	Jefferson
Alsup	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bergman	Lemens
Bourne	Lindsey
Bradbury	Lucas
Burton	Mauritz
Butler of Brazos	Moffett
Butler of Karnes	Morrison
Cagle	Olsen
Calvert	Padgett
Canon	Palmer
Collins	Patterson
Cowley	Payne
Craddock	Pope
Crossley	Quinn
Daniel	Reader
Davison of Fisher	Reed of Bowie
Davisson	Reed of Dallas
of Eastland	Roach of Angelina
Dickison	Roach of Hunt
England	Rutta
Fain	Scarborough
Farmer	Sessions
Fox	Smith
Frazer	Spears
Fuchs	Stovall
Glass	Tillery
Graves	Waggoner
Gray	Wells
Greathouse	Westfall
Hankamer	Wood of Harrison
Herzik	Youngblood
Hodges	

#### Nays—50

Bradford	Good
Broyles	Hanna
Caldwell	Hardin
Clayton	Harris of Archer
Colquitt	Harris of Dallas
Cooper	Hartzog
Dunagan	Head
Dunlap of Hays	Hill
Gibson	Hofheinz



Holland	Nicholson
Hyder	Petsch
Jackson	Roane
James	Roark
Knetsch	Roberts
Lanning	Rogers
Latham	Russell
Leath	Settle
McCalla	Steward
McConnell	Stinson
McFarland	Tarwater
McKee	Tennyson
Moore	Thornton
Morris	Venable
Morse	Wood of Montague
Newton	Worley

## Absent

Alexander	Jones of Atascosa
Celaya	Jones of Falls
Colson	King
Davis	Lange
Dunlap of Kleberg	Leonard
Duvall	Luker
Dwyer	McKinney
Fisher	Riddle
Ford	Shofner
Hoskins	Stanfield
Howard	Walker
Hunt	Young

## Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Thornton moved the previous question on the passage of House Bill No. 18 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—32

Atchison	Moore
Cagle	Morris
Clayton	Newton
Colquitt	Nicholson
England	Olsen
Fuchs	Padgett
Head	Patterson
Herzik	Petsch
Holland	Reed of Bowie
Hunter	Roach of Hunt
Jackson	Rogers
James	Settle
Jones of Wise	Steward
Lemens	Tarwater
Mauritz	Thornton
McKee	Worley

## Nays—93

Adamson	Hofheinz
Adkins	Hoskins
Aikin	Huddleston
Alsup	Hyder
Beck	Jones of Falls
Bergman	Jones of Shelby
Bourne	Keefe
Bradbury	Knetsch
Bradford	Lanning
Broyles	Latham
Burton	Leath
Butler of Brazos	Lindsey
Butler of Karnes	Lucas
Caldwell	McCalla
Calvert	McConnell
Canon	McFarland
Collins	Moffett
Cooper	Morrison
Cowley	Morse
Craddock	Palmer
Crossley	Payne
Daniel	Pope
Davison of Fisher	Quinn
Davisson	Reader
of Eastland	Reed of Dallas
Dickison	Roach of Angelina
Dunagan	Roane
Dunlap of Hays	Roark
Dunlap of Kleberg	Roberts
Fain	Russell
Farmer	Rutta
Fisher	Scarborough
Fox	Sessions
Frazer	Shofner
Gibson	Smith
Glass	Stinson
Good	Stovall
Graves	Tennyson
Gray	Tillery
Greathouse	Venable
Hankamer	Waggoner
Hardin	Walker
Harris of Archer	Wells
Harris of Dallas	Westfall
Hartzog	Wood of Harrison
Hill	Wood of Montague
Hodges	Youngblood

## Absent

Alexander	Jones of Atascosa
Celaya	King
Colson	Lange
Davis	Leonard
Duvall	Luker
Dwyer	McKinney
Ford	Riddle
Hanna	Spears
Howard	Stanfield
Hunt	Young
Jefferson	

## Absent—Excused

Ash Lotief  
Fitzwater

Mr. Palmer offered the following amendment to the bill:

Amend House Bill No. 18, line 8, Section 2, page 2, by inserting the following words, after the word "copartnership" to-wit:

"and/or any person, firm, corporation, association or copartnership operating or doing business under the same general management, corporate or trade name."

Mr. Head moved to table the amendment by Mr. Palmer.

The motion to table was lost.

Question recurring on the amendment by Mr. Palmer, it was adopted.

Mr. Spears offered the following amendment to the bill:

Amend House Bill No. 18, by striking out all of Section 5 on page 3, beginning on line 37, with the word "or" and ending on line 39, with the words "petroleum products."

Mr. Head moved to table the amendment by Mr. Spears.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—59

Alexander	Head
Atchison	Hill
Bergman	Hofheinz
Bradford	Holland
Caldwell	Howard
Celaya	Hunter
Clayton	Hyder
Colquitt	Jackson
Cooper	James
Cowley	Jones of Atascosa
Davison of Fisher	Latham
Davisson	Mauritz
of Eastland	McCalla
Dunagan	McFarland
Duvall	McKee
Dwyer	McKinney
England	Moffett
Gibson	Morris
Good	Morse
Gray	Newton
Hankamer	Nicholson
Hanna	Petsch
Harris of Archer	Quinn
Hartzog	Reed of Bowie

Riddle  
Russell  
Settle  
Stanfield  
Steward  
Stinson

Tennyson  
Thornton  
Walker  
Wells  
Wood of Montague  
Young

## Nays—71

Adamson	Jones of Shelby
Adkins	Jones of Wise
Aikin	Keefe
Alsup	Lanning
Beck	Leath
Bourne	Lemens
Bradbury	Lindsey
Broyles	Lucas
Burton	McConnell
Rutler of Brazos	Moore
Butler of Karnes	Olsen
Calvert	Padgett
Canon	Palmer
Collins	Patterson
Craddock	Pope
Crossley	Reader
Daniel	Reed of Dallas
Davis	Roach of Angelina
Dickison	Roach of Hunt
Dunlap of Hays	Roark
Fain	Roberts
Farmer	Rogers
Fisher	Rutta
Ford	Scarborough
Fox	Sessions
Frazer	Shofner
Fuchs	Smith
Glass	Spears
Greathouse	Stovall
Hardin	Tillery
Harris of Dallas	Venable
Herzik	Waggoner
Hodges	Westfall
Huddleston	Wood of Harrison
Hunt	Youngblood
Jones of Falls	

## Absent

Cagle	Lange
Colson	Leonard
Dunlap of Kleberg	Luker
Graves	Morrison
Hoskins	Payne
Jefferson	Roane
King	Tarwater
Knetsch	Worley

## Absent—Excused

Ash Lotief  
Fitzwater

Question then recurring on the amendment by Mr. Spears, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—71

Adamson	Jones of Shelby
Adkins	Jones of Wise
Aikin	Keefe
Alsup	Lanning
Beck	Leath
Bourne	Lemens
Bradbury	Lindsey
Broyles	Lucas
Burton	Moore
Butler of Brazos	Olsen
Butler of Karnes	Padgett
Calvert	Palmer
Canon	Patterson
Collins	Pope
Craddock	Reader
Crossley	Reed of Dallas
Daniel	Roach of Angelina
Davis	Roach of Hunt
Dickison	Roark
Dunlap of Hays	Roberts
Fain	Rogers
Farmer	Rutta
Fisher	Scarborough
Ford	Sessions
Fox	Shofner
Frazer	Smith
Fuchs	Spears
Glass	Stovall
Greathouse	Tillery
Hardin	Venable
Harris of Dallas	Waggoner
Herzik	Westfall
Hodges	Wood of Harrison
Huddleston	Worley
Hunt	Youngblood
Jones of Falls	

## Nays—61

Alexander	Harris of Archer
Atchison	Hartzog
Bergman	Head
Bradford	Hill
Caldwell	Hofheinz
Celaya	Holland
Clayton	Howard
Colquitt	Hunter
Cooper	Hyder
Cowley	Jackson
Davison of Fisher	James
Davisson	Jones of Atascosa
of Eastland	Latham
Dunagan	Mauritz
Duvall	McCalla
Dwyer	McFarland
England	McKee
Gibson	McKinney
Good	Moffett
Gray	Morris
Hankamer	Morse
Hanna	Newton

Nicholson	Steward
Petsch	Stinson
Quinn	Tarwater
Reed of Bowie	Tennyson
Riddle	Thornton
Roane	Walker
Russell	Wells
Settle	Wood of Montague
Stanfield	Young

## Present—Not Voting

McConnell

## Absent

Cagle	Knetsch
Colson	Lange
Dunlap of Kleberg	Leonard
Graves	Luker
Hoskins	Morrison
Jefferson	Payne
King	

## Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Spears moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Cooper moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion was lost.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 18, Section 5, page 3, by striking out all of lines 36, 37, beginning with the word "wholesale" down to and including the word "business."

Mr. Lindsey offered the following substitute for the amendment by Mr. Daniel:

Amend House Bill No. 18 beginning in line 34 page 3, of the printed bill with the word "provided" strike out the remainder of line 34, all of lines 35, 36, 37, 40 and line 1, on page 4.

The substitute amendment was lost.

Mr. Rogers moved to table the amendment by Mr. Daniel.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—80

Adamson	Atchison
Alexander	Bergman

Bourne	Lanning
Bradford	Latham
Burton	Lemens
Butler of Karnes	Luker
Cagle	McCalla
Caldwell	McConnell
Canon	McKee
Celaya	McKinney
Clayton	Moffett
Colquitt	Moore
Cooper	Morris
Davis	Morrison
Davisson	Morse
of Eastland	Newton
Duvall	Nicholson
England	Olsen
Ford	Payne
Gibson	Reed of Bowie
Good	Riddle
Gray	Roane
Hankamer	Rogers
Hanna	Russell
Hardin	Rutta
Harris of Archer	Settle
Hartzog	Shofner
Head	Smith
Herzik	Stanfield
Hill	Steward
Hodges	Tarwater
Hofheinz	Tennyson
Holland	Thornton
Howard	Waggoner
Huddleston	Walker
Hunter	Wells
Jackson	Wood of Harrison
James	Wood of Montague
Jones of Atascosa	Worley
Jones of Falls	Young
King	

## Nays—48

Aikin	Leath
Alsup	Lindsey
Beck	Lucas
Broyles	McFarland
Butler of Brazos	Padgett
Calvert	Palmer
Collins	Patterson
Craddock	Petsch
Crossley	Pope
Daniel	Quinn
Davison of Fisher	Reader
Dunlap of Hays	Reed of Dallas
Fain	Roach of Angelina
Farmer	Roach of Hunt
Fox	Roark
Frazer	Scarborough
Fuchs	Sessions
Glass	Spears
Greathouse	Stinson
Harris of Dallas	Stovall
Jefferson	Tillery
Jones of Shelby	Venable
Jones of Wise	Westfall
Keefe	Youngblood

## Absent

Adkins	Graves
Bradbury	Hoskins
Colson	Hunt
Cowley	Hyder
Dickison	Knetsch
Dunagan	Lange
Dunlap of Kleberg	Leonard
Dwyer	Mauritz
Fisher	Roberts

## Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Atchison moved the previous question on the passage of House Bill No. 18 to engrossment.

Mr. Quinn, as a substitute for the motion by Mr. Atchison, moved the previous question on the amendments on the Speaker's desk, and the passage of House Bill No. 18 to engrossment, and the motion was not seconded.

The motion by Mr. Atchison for the main question was then seconded.

Mr. Quinn moved that the House adjourn until 9:00 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn until 9:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—24

Adamson	King
Bradford	Lindsey
Caldwell	Luker
Clayton	McCalla
Ford	McKinney
Hankamer	Nicholson
Hardin	Quinn
Hill	Riddle
Holland	Russell
Howard	Stinson
Hyder	Waggoner
Jackson	Wood of Montague

## Nays—111

Adkins	Broyles
Aikin	Burton
Alexander	Butler of Brazos
Alsup	Butler of Karnes
Atchison	Calvert
Beck	Canon
Bergman	Celaya
Bourne	Collins
Bradbury	Colquitt

Colson	Lemens
Cooper	Lucas
Cowley	Mauritz
Craddock	McConnell
Crossley	McFarland
Davis	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunlap of Hays	Newton
Dunlap of Kleberg	Olsen
Duvall	Padgett
England	Palmer
Fain	Patterson
Farmer	Payne
Fisher	Petsch
Fox	Reader
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roane
Gray	Roark
Greathouse	Rogers
Hanna	Rutta
Harris of Archer	Scarborough
Harris of Dallas	Sessions
Hartzog	Settle
Head	Shofner
Hodges	Smith
Hofheinz	Spears
Hoskins	Stanfield
Huddleston	Steward
Hunt	Stovall
Hunter	Tarwater
James	Tennyson
Jefferson	Thornton
Jones of Atascosa	Tillery
Jones of Falls	Venable
Jones of Shelby	Walker
Jones of Wise	Wells
Keefe	Westfall
Lange	Wood of Harrison
Lanning	Worley
Latham	Young
Leath	Youngblood

## Absent

Cagle	Knetsch
Daniel	Leonard
Dunagan	McKee
Dwyer	Pope
Graves	Roberts
Herzik	

## Absent—Excused

Ash	Lotief
Fitzwater	

Question then recurring on the motion by Mr. Atchison for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—80

Alsup	Jones of Falls
Atchison	Jones of Shelby
Beck	Jones of Wise
Butler of Brazos	Keefe
Cagle	Lange
Calvert	Lanning
Clayton	Leath
Collins	Lemens
Colquitt	McConnell
Cooper	McKee
Cowley	Moore
Crossley	Morris
Daniel	Morse
Davis	Newton
Davison of Fisher	Olsen
Davisson	Padgett
of Eastland	Palmer
Dunlap of Hays	Patterson
Duvall	Petsch
England	Reader
Fain	Reed of Bowie
Farmer	Roach of Hunt
Ford	Roane
Fox	Roark
Fuchs	Roberts
Glass	Rutta
Gray	Sessions
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Harris of Dallas	Spears
Head	Stanfield
Herzik	Tarwater
Hofheinz	Thornton
Holland	Tillery
Huddleston	Wells
Hunt	Wood of Montague
Hunter	Worley
Jackson	Young
James	Youngblood
Jones of Atascosa	

## Nays—54

Adamson	Gibson
Adkins	Good
Aikin	Hardin
Alexander	Harris of Archer
Bergman	Hill
Bourne	Hodges
Bradbury	Hoskins
Bradford	Howard
Broyles	King
Burton	Latham
Butler of Karnes	Lindsey
Caldwell	Lucas
Canon	Luker
Celaya	Mauritz
Dickison	McCalla
Fisher	McFarland
Frazer	McKinney

Moffett	Russell
Morrison	Scarborough
Nicholson	Steward
Payne	Stinson
Pope	Tennyson
Quinn	Venable
Reed of Dallas	Waggoner
Riddle	Walker
Roach of Angelina	Westfall
Rogers	Wood of Harrison

## Absent

Colson	Hartzog
Craddock	Hyder
Dunagan	Jefferson
Dunlap of Kleberg	Knetsch
Dwyer	Leonard
Graves	Stovall

## Absent—Excused

Ash	Lotief
Fitzwater	

Unanimous consent of the House was asked that the caption of the bill be amended to conform to all changes and with the body of the bill.

There was objection offered.

House Bill No. 18 was then passed to engrossment by the following vote:

## Yeas—116

Adamson	Fain
Adkins	Farmer
Aikin	Fisher
Alexander	Ford
Alsup	Fox
Atchison	Frazer
Beck	Fuchs
Bergman	Glass
Bourne	Good
Bradbury	Gray
Burton	Greathouse
Butler of Brazos	Hankamer
Butler of Karnes	Hanna
Cagle	Hardin
Calvert	Harris of Archer
Canon	Harris of Dallas
Collins	Hartzog
Colquitt	Head
Cooper	Hodges
Cowley	Hofheinz
Crossley	Holland
Daniel	Hoskins
Davis	Huddleston
Davison of Fisher	Hunt
Davisson	Hunter
of Eastland	Hyder
Dickison	Jackson
Dunlap of Hays	James
Dunlap of Kleberg	Jefferson
Duvall	Jones of Falls
England	Jones of Shelby

Jones of Wise	Roane
Keefe	Roark
King	Roberts
Lange	Rogers
Lanning	Russell
Latham	Rutta
Leath	Scarborough
Lemens	Sessions
Lindsey	Settle
Lucas	Shofner
Mauritz	Smith
McConnell	Spears
McFarland	Stanfield
McKee	Steward
Moffett	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Tillery
Newton	Venable
Olsen	Waggoner
Padgett	Walker
Palmer	Wells
Patterson	Westfall
Petsch	Wood of Harrison
Reader	Worley
Reed of Bowie	Young
Reed of Dallas	Youngblood
Roach of Hunt	

## Nays—15

Bradford	McCalla
Broyles	McKinney
Caldwell	Morse
Celaya	Pope
Gibson	Quinn
Hill	Riddle
Howard	Stinson
Luker	

## Present—Not Voting

Wood of Montague

## Absent

Clayton	Jones of Atascosa
Colson	Knetsch
Craddock	Leonard
Dunagan	Nicholson
Dwyer	Payne
Graves	Roach of Angelina
Herzik	Thornton

## Absent—Excused

Ash	Lotief
Fitzwater	

### HOUSE BILL NO. 18 ON THIRD READING

Mr. Spears moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 18 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson	James
Adkins	Jefferson
Aikin	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bergman	Lange
Bourne	Lanning
Bradbury	Latham
Burton	Leath
Butler of Brazos	Lemens
Cagle	Lindsey
Calvert	Lucas
Canon	Mauritz
Collins	McFarland
Colquitt	Moffett
Cooper	Moore
Cowley	Morris
Crossley	Morrison
Daniel	Newton
Davis	Olsen
Davison of Fisher	Padgett
Davisson	Palmer
of Eastland	Patterson
Dickison	Petsch
Dunlap of Hays	Reader
Duvall	Reed of Bowie
England	Reed of Dallas
Fain	Roach of Hunt
Farmer	Roane
Fisher	Roark
Ford	Roberts
Fox	Russell
Frazer	Rutta
Fuchs	Scarborough
Glass	Sessions
Good	Settle
Gray	Shofner
Greathouse	Smith
Hankamer	Spears
Hanna	Steward
Hardin	Stovall
Harris of Archer	Tarwater
Harris of Dallas	Tennyson
Hartzog	Thornton
Head	Tillery
Hodges	Venable
Hofheinz	Waggoner
Holland	Walker
Hoskins	Wells
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	Wood of Montague
Hyder	Worley
Jackson	Youngblood

Nays—18

Bradford	Caldwell
Broyles	Celaya

Gibson	Morse
Hill	Nicholson
Howard	Pope
King	Quinn
Luker	Riddle
McCalla	Stanfield
McKinney	Stinson

Absent

Butler of Karnes	Knetsch
Clayton	Leonard
Colson	McConnell
Craddock	McKee
Dunagan	Payne
Dunlap of Kleberg	Roach of Angelina
Dwyer	Rogers
Graves	Young
Herzik	

Absent—Excused

Ash	Lotief
Fitzwater	

The Chair then laid House Bill No. 18 before the House on its third reading and final passage.

The bill was read third time.

Mr. Daniel moved the previous question on the passage of House Bill No. 18, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—80

Adkins	Fox
Alsup	Fuchs
Atchison	Glass
Beck	Gray
Butler of Brazos	Hankamer
Cagle	Hanna
Calvert	Harris of Dallas
Collins	Head
Colquitt	Hofheinz
Cooper	Holland
Cowley	Hoskins
Craddock	Huddleston
Crossley	Hunter
Daniel	Jackson
Davis	James
Davison of Fisher	Jefferson
Davisson	Jones of Atascosa
of Eastland	Jones of Falls
Dickison	Jones of Shelby
Dunlap of Hays	Jones of Wise
England	Keefe
Fain	Lange
Farmer	Lanning
Fisher	Leath
Ford	Lemens

McConnell	Sessions
Moore	Settle
Morris	Spears
Morse	Stanfield
Newton	Steward
Padgett	Tarwater
Palmer	Thornton
Patterson	Tillery
Petsch	Venable
Reader	Waggoner
Reed of Bowie	Wells
Roach of Hunt	Westfall
Roane	Worley
Roberts	Young
Rutta	Youngblood
Scarborough	

## Nays—52

Adamson	Lindsey
Aikin	Lucas
Alexander	Luker
Bergman	Mauritz
Bourne	McCalla
Bradford	McFarland
Broyles	McKinney
Burton	Moffett
Butler of Karnes	Morrison
Caldwell	Nicholson
Canon	Pope
Celaya	Quinn
Duvall	Reed of Dallas
Frazer	Riddle
Gibson	Roach of Angelina
Good	Roark
Greathouse	Rogers
Hardin	Russell
Harris of Archer	Shofner
Hill	Smith
Hodges	Stinson
Howard	Stovall
Hunt	Tennyson
Hyder	Walker
King	Wood of Harrison
Latham	Wood of Montague

## Absent

Bradbury	Hartzog
Clayton	Herzik
Colson	Knetsch
Dunagan	Leonard
Dunlap of Kleberg	McKee
Dwyer	Olsen
Graves	Payne

## Absent—Excused

Ash	Lotief
Fitzwater	

House Bill No. 18 was then passed by the following vote:

## Yeas—116

Adamson	Aikin
Adkins	Alexander

Alsup	Jefferson
Atchison	Jones of Falls
Beck	Jones of Shelby
Bergman	Jones of Wise
Bourne	Keefe
Bradbury	Lange
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Leath
Calvert	Lemens
Canon	Lindsey
Clayton	Lucas
Collins	Mauritz
Colquitt	McConnell
Colson	McFarland
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Newton
Davis	Olsen
Davison of Fisher	Padgett
Davisson	Palmer
of Eastland	Patterson
Dickison	Reader
Dunlap of Hays	Reed of Bowie
Duvall	Reed of Dallas
England	Riddle
Fain	Roach of Angelina
Farmer	Roach of Hunt
Fisher	Roane
Ford	Roark
Fox	Roberts
Frazer	Russell
Fuchs	Rutta
Glass	Scarborough
Good	Sessions
Gray	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Spears
Hardin	Steward
Harris of Archer	Stovall
Harris of Dallas	Tarwater
Hartzog	Tennyson
Head	Thornton
Herzik	Tillery
Hodges	Venable
Hofheinz	Waggoner
Holland	Walker
Hoskins	Wells
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	Wood of Montague
Hyder	Worley
Jackson	Youngblood
James	

## Nays—18

Bradford	Gibson
Broyles	Hill
Cagle	Howard
Caldwell	Luker
Celaya	McCalla



McKinney	Quinn
Morse	Rogers
Nicholson	Stanfield
Pope	Stinson

## Absent

Dunagan	Knetsch
Dunlap of Kleberg	Leonard
Dwyer	McKee
Graves	Payne
Jones of Atascosa	Petsch
King	Young

## Absent—Excused

Ash	Lotief
Fitzwater	

Mr. Spears moved to reconsider the vote by which the House Bill No. 18 was passed, and to table the motion to reconsider.

The motion to table prevailed.

## REASONS FOR VOTE

I have always voted for a reasonable tax on chain stores. I am voting "no" on this bill because I believe the tax provisions of this bill are exorbitant and unreasonable; and the House has ordered the previous question on the bill without giving me an opportunity to offer an amendment which has been on the Speaker's table since the bill was first laid out.

Therefore I vote "no" on the bill.

STINSON.

I voted against the "Chain Store Bill" for the following reasons:

1. The bill as amended would ruin numerous home owned and independent merchants in this State, and in my district.

2. Such a measure would deprive hundreds of farmers of a market for their produce.

3. The bill is a legislative monstrosity, being full of improper and unfair provisions of questionable constitutionality.

CALDWELL.

I vote "no" on House Bill No. 18 because the House refused to allow consideration of the following two amendments to the bill. These amendments were placed by me on the Speaker's desk, but the House put the previous question on to keep from voting on these two amendments to-wit:

Amend House Bill No. 18 by adding at the end of Section 1, the following

"Provided nothing herein contained shall require the payment of any license on any place or station owned, operated, maintained or controlled, at, in or from which any farm products, dairy products and meat products in the hands of the producer are sold or delivered at retail."

Amend House Bill No. 18 by striking out Section 9 and insert a new Section 9 to read as follows:

"Sec. 9. It is expressly provided that any person, firm, corporation, association or copartnership either foreign or domestic that operates maintains, opens or establishes not more than one store or mercantile establishment in this State, shall not be required to secure any license under the provisions hereof or make any application therefor."

POPE.

The following is submitted relative to my vote upon House Bill 18 in respect of motions on September 26th to suspend the Constitutional Rule to permit third reading and the vote on third reading:

"Said bill as introduced had, contrary to the wishes and pleadings of the independent merchants of the State, been amended at a number of places during consideration by the House of Representatives. Agreeing with the position of the independent merchants, my votes were in the interest of expressing to the Senate my opposition, and opposition of the independent merchants to the objectionable amendments referred to."

NICHOLSON.

As a member of the House and as a signer of House Bill No. 18 and finally voting against this bill, I want to make this explanation:

When I signed the Head Chain Store Bill, I thought the House expected to help the independent merchants and business men, but, in my opinion, the bill that was finally passed will place the chain stores more solidly in their position as the outragers of independent businesses than ever before, and for these reasons, (1) the Palmer amendment will place on each and every independent grocer that buys through one buying agency a penalty in the shape of a tax of \$750.00 per store, while the big chain stores will have a great many stores at smaller prices and only a few at this exhorbi-

tant tax, and (2) in placing the oil well supply houses in this bill, it is an attempt to destroy a business that is not in competition with our independent merchants, but is merely an aid to the oil companies working in different fields as they are essential service companies, and (3) I do not believe the House should railroad through, any bill that has amendments with merit to be heard and not give the authors the right to have these amendments acted on by the members. It has always been my conception of a Republican form of Government that every question should have a fair and reasonable hearing, and although at times I have opposed matters that come before the House, I would not do anything to keep the member urging them, from presenting his case as that is my conception of fair play.

This bill will cause the service companies to concentrate in big cities like Houston, San Antonio and Fort Worth. It will raise the price of operation to companies that are paying good wages, and nearly every man that it helps is wearing over-alls and carrying a union card.

I cannot, in justice to my union friends, burden them down with a load that may deprive them finally of their jobs. I want to try and keep going, the few remaining prosperous companies employing labor. For these reasons, I was forced to vote against the Head Bill, although I am heart and soul in favor of a stiff chain tax bill that will equalize those companies that are destroying our independent merchants.

HOWARD.

#### SENATE BILL ON FIRST READING

The following Senate bill received from the Senate today was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 18, referred to the Committee on Revenue and Taxation.

#### ADJOURNMENT

Mr. Harris of Dallas moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Quinn moved that the House adjourn until 9:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Quinn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—53

Adamson	Luker
Alsup	McConnell
Bradbury	McFarland
Butler of Brazos	Moffett
Cagle	Morrison
Clayton	Padgett
Davis	Quinn
Dunlap of Hays	Reed of Dallas
Fisher	Roane
Fox	Roark
Fuchs	Shofner
Glass	Smith
Greathouse	Stinson
Hardin	Stovall
Harris of Archer	Tarwater
Head	Tennyson
Hofheinz	Thornton
Huddleston	Tillery
Jackson	Venable
Jones of Shelby	Waggoner
Jones of Wise	Walker
King	Wells
Lange	Wood of Harrison
Lanning	Wood of Montague
Latham	Worley
Lindsey	Youngblood
Lucas	

Nays—73

Adkins	Hanna
Aikin	Harris of Dallas
Alexander	Hartzog
Bergman	Hill
Bourne	Hodges
Bradford	Holland
Broyles	Howard
Burton	Hunter
Caldwell	Hyder
Calvert	James
Canon	Jefferson
Collins	Jones of Falls
Colquitt	Keefe
Cooper	Leath
Cowley	Lemens
Craddock	Mauritz
Crossley	McCalla
Daniel	McKinney
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morse
Dickison	Newton
England	Nicholson
Fain	Olsen
Farmer	Palmer
Ford	Patterson
Frazer	Pope
Gibson	Reader
Good	Reed of Bowie
Gray	Riddle
Hankamer	Roach of Angelina

Roach of Hunt	Settle
Roberts	Spears
Russell	Stanfield
Rutta	Steward
Scarborough	Westfall
Sessions	Young

## Absent

Atchison	Herzik
Beck	Hoskins
Butler of Karnes	Hunt
Celaya	Jones of Atascosa
Colson	Knetsch
Dunagan	Leonard
Dunlap of Kleberg	McKee
Duvall	Payne
Dwyer	Petsch
Graves	Rogers

## Absent—Excused

Ash	Lotief
Fitzwater	

Question then recurring on the motion by Mr. Harris of Dallas, it prevailed, and the House, accordingly, at 5:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Liquor Traffic: House Bills Nos. 1, 3 and 14.

Revenue and Taxation: House Bills Nos. 5, 35, 44, 47, 52, 53, 56, 58 and 70.

State Affairs: House Bill No. 42, House Concurrent Resolutions, Nos. 4 and 5.

The Committee on State Affairs filed adverse reports on bills and resolutions as follows: House Bills Nos. 7, 16, 17, 32, 59, 66, 77, 79 and Senate Concurrent Resolution No. 1.

The Committee on Revenue and Taxation filed an adverse report with a minority favorable report on House Bill No. 39.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, September 25, 1935.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 36, A bill to be entitled "An Act to permit the Bradfish Grain Company and the member or members composing the same to sue the State of Texas and the State Highway Department of Texas, for damages alleged to have been done and to have accrued to the property of said company, which is used for conducting a grain business in the City of Weatherford, said property being used in conducting a feed and grain business and located on the North side and adjoining Fort Worth Street and State Highway No. One (1); etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

## TENTH DAY

(Friday, September 27, 1935)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Colson
Adamson	Cooper
Adkins	Cowley
Aikin	Craddock
Alexander	Crossley
Alsup	Daniel
Atchison	Davis
Bergman	Davison of Fisher
Bradbury	Davisson
Bradford	of Eastland
Broyles	Dickison
Burton	Dunagan
Butler of Brazos	Dunlap of Hays
Butler of Karnes	Dunlap of Kleberg
Cagle	Duvall
Caldwell	Dwyer
Calvert	England
Canon	Fain
Celaya	Farmer
Clavton	Fisher
Collins	Ford
Colquitt	Fox